

## 2013 DRAFTING REQUEST

### Senate Substitute Ammendment (SSA-AJR2)

Received: 2/19/2013 Received By: smiller  
Wanted: As time permits Same as LRB:  
For: Timothy Cullen (608) 266-2253 By/Representing: kelly  
May Contact: Drafter: smiller  
Subject: Constitutional Amendments Addl. Drafters:  
Extra Copies:

Submit via email: YES  
Requester's email: Sen.Cullen@legis.wisconsin.gov  
Carbon copy (CC) to:

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#### Pre Topic:

No specific pre topic given

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#### Topic:

Prohibit transfers from general fund to transportation fund.

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#### Instructions:

See attached

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#### Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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/1				_____	lparisi 2/19/2013	lparisi 2/19/2013	

FE Sent For:

<END>

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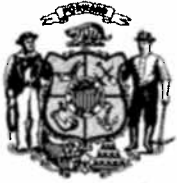
See attached

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/?	smiller	1/15/19	2/19/19	ph	gm		

FE Sent For:

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State of Wisconsin  
2013 - 2014 LEGISLATURE

50011/1



LRB000071  
MIS&SRM:kjf:rs

SRM: igf

Friday

in 2-19

**SENATE**  
~~ASSEMBLY~~ **SUBSTITUTE AMENDMENT,**  
**TO ASSEMBLY JOINT RESOLUTION 2**

prohibiting transfers from the general fund  
to the transportation

Regen

1 **To renumber** section 9 of article IV; and **to create** section 9 (2) of article IV, section  
2 9 (3) of article IV and section 11 of article VIII of the constitution; **relating to:**  
3 creation of a department of transportation, creation of a transportation fund,  
4 and deposit of funds into the transportation fund; and creation of a tax credit  
5 fund (first consideration).

6 **Resolved by the assembly, the senate concurring, That:**

7 **SECTION 1.** Section 9 of article IV of the constitution is renumbered section 9  
8 (1) of article IV.

9 **SECTION 2.** Section 9 (2) of article IV of the constitution is created to read:

10 [Article IV] Section 9 (2) The legislature shall provide by law for the  
11 establishment of a department of transportation and a transportation fund.

12 **SECTION 3.** Section 9 (3) of article IV of the constitution is created to read:

[Article IV] Section 9 (3) The legislature shall provide by law for the establishment of a refundable individual income tax credit that is calculated as a percentage of the federal earned income tax credit, a refundable individual income tax credit to provide relief to modest and moderate income individuals who own or rent their homestead, and a tax credit fund. From funds collected by the state from taxes imposed, that would otherwise be deposited into the general fund, an amount that is sufficient to pay all eligible claims for the income tax credits described in this subsection shall be deposited into the tax credit fund for the benefit of eligible claimants of these refundable individual income tax credits. None of the funds collected or received by the state from any source and deposited into the tax credit fund shall be lapsed, further transferred, or appropriated to any program or used for any purpose other than for the benefit of eligible claimants of these tax credits. Revenues collected for and balances in the tax credit fund shall be used only for the purposes of paying eligible claims for the tax credits described in this subsection.

**SECTION 4.** Section 11 of article VIII of the constitution is created to read:

[Article VIII] Section 11. All funds collected by the state from any taxes or fees levied or imposed for the licensing of motor vehicle operators, for the titling, licensing, or registration of motor vehicles, for motor vehicle fuel, or for the use of roadways, highways, or bridges, and from taxes and fees levied or imposed for aircraft, airline property, or aviation fuel or for railroads or railroad property shall be deposited only into the transportation fund or with a trustee for the benefit of the department of transportation or the holders of transportation-related revenue bonds, except for collections from taxes or fees in existence on December 31, 2010, that were not being deposited in the transportation fund on that date. None of the funds collected or received by the state from any source and deposited into the

1 transportation fund shall be lapsed, further transferred, or appropriated to any  
2 program that is not directly administered by the department of transportation in  
3 furtherance of the department's responsibility for the planning, promotion, and  
4 protection of all transportation systems in the state except for programs for which  
5 there was an appropriation from the transportation fund on December 31, 2010. In  
6 this section, the term "motor vehicle" does not include any all-terrain vehicles,  
7 snowmobiles, or watercraft. *INSERT # 1*

8 **SECTION 5. Numbering of new provision.** If another constitutional  
9 amendment ratified by the people creates the number of any provision created in this  
10 joint resolution, the chief of the legislative reference bureau shall determine the  
11 sequencing and the numbering of the provisions whose numbers conflict.

12 ***Be it further resolved, That*** this proposed amendment be referred to the  
13 legislature to be chosen at the next general election and that it be published for three  
14 months previous to the time of holding such election.

15 (END)

**2013-2014 DRAFTING INSERT  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRBs0011/?ins  
SRM:.....

**INSERT # 1**

- 1 *No* *II* No money shall be transferred from the general fund to the transportation fund.